

AMALU, et al.

vs

LSH TRANSPORT, LLC, et al.

LARRY STEVIE HURT

July 28, 2016



COPY



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1 A. No, sir. 09:28:06
2 Q. All right. 09:28:06
3 MR. WRIGHT: I'm -- I am going to 09:28:10
4 mark the notice to take the deposition today of 09:28:11
5 LSH as the first numbered exhibit. We'll enter 09:28:15
6 that into the record. 09:28:18
7 (WHEREUPON, the above-mentioned 09:28:20
8 document was marked as Exhibit No. 1.) 09:28:21
9 BY MR. WRIGHT:
10 Q. This also had some documents that we 09:28:22
11 asked for. Did you bring any documents with 09:28:24
12 you? 09:28:25
13 A. I have no documents. 09:28:25
14 Q. You have no documents? 09:28:26
15 A. No, sir. 09:28:27
16 Q. So nothing on this list you have 09:28:28
17 anymore? 09:28:30
18 A. Nothing. 09:28:30
19 Q. All right. What happened to those 09:28:30
20 documents? 09:28:32
21 A. They -- I had a fire over the weekend and 09:28:32
22 all and burnt everything I had up. 09:28:34
23 Q. What weekend?
24 A. This past weekend. 09:28:37
25 Q. So your entire office burned down; is 09:28:38

1	that what you're saying?	09:28:50
2	A. Yes.	09:28:51
3	Q. All right. Did you -- before your entire	09:28:51
4	office burned down, did you take what we asked	09:28:53
5	and filed on June 8th of 2016 and gather those	09:28:58
6	documents for responses --	09:29:05
7	A. I was gathering them up, yes, sir.	09:29:05
8	Q. Okay. And you -- and you left them in	09:29:07
9	the office and they're gone now?	09:29:10
10	A. They were in my home, yes.	09:29:11
11	Q. And you don't -- in your house is where	09:29:13
12	they were burnt?	09:29:15
13	A. Yes.	09:29:16
14	Q. All right. Did your whole house burn	09:29:16
15	down?	09:29:19
16	A. Yes.	09:29:20
17	Q. How did the fire start?	09:29:20
18	A. I -- I have no idea. I wasn't home.	09:29:22
19	Q. Was anyone home?	09:29:25
20	A. No.	09:29:27
21	Q. Do you -- who lives with you there?	09:29:27
22	A. Nobody.	09:29:29
23	Q. So the -- the house is gone completely?	09:29:29
24	A. It's gone.	09:29:35
25	Q. Did the police come out and investigate?	09:29:36

1	A. Police -- I don't think police did, but	09:29:38
2	the fire department came.	09:29:42
3	Q. Okay. Did they take a report?	09:29:43
4	A. Yes.	09:29:44
5	Q. All right. Did you take any other	09:29:44
6	measures to try to preserve those documents	09:29:48
7	that we asked for?	09:29:51
8	A. I mean... (Respite.)	09:29:53
9	Q. Did you give copies of them to your	09:29:57
10	lawyer?	09:30:00
11	A. I haven't -- I hadn't yet, no. I was	09:30:00
12	going to. I was bringing them to him.	09:30:02
13	Q. Last weekend?	09:30:04
14	A. No. I was going to bring them to him	09:30:05
15	today.	09:30:08
16	Q. Okay. And when did this fire happen?	09:30:08
17	A. This past weekend, Sunday.	09:30:10
18	Q. Where were you when -- when was the last	09:30:12
19	time you were at home before the fire	09:30:17
20	happened?	09:30:19
21	A. Sunday morning.	09:30:19
22	Q. What were you doing Sunday morning?	09:30:21
23	A. Working on a semi.	09:30:24
24	Q. And you -- when did you leave?	09:30:26
25	A. About 10 o'clock Sunday morning.	09:30:31

1	Q.	Where'd you go?	09:30:34
2	A.	Went and picked a trailer up and went to	09:30:36
3		-- I was on my way to Princeton, Indiana, and	09:30:39
4		they called me and I turned around and went	09:30:42
5		back home.	09:30:47
6	Q.	What were you doing in Princeton, in	09:30:47
7		Indiana?	09:30:49
8	A.	I was going to pick up a load of	09:30:49
9		watermelons.	09:30:52
10	Q.	So you were driving?	09:30:53
11	A.	Yes.	09:30:54
12	Q.	Okay. Whose truck were you driving?	09:30:54
13	A.	Mine.	09:30:57
14	Q.	What time did you get a call and who did	09:30:57
15		you get a call from?	09:31:12
16	A.	It was about 12:30, and I got a call from	09:31:14
17		a guy named Steve Barrett.	09:31:21
18	Q.	Who's Steve Barrett?	09:31:23
19	A.	He's just a guy I know, lives not too far	09:31:25
20		away.	09:31:30
21	Q.	All right. What did Steve Barrett tell	09:31:30
22		you?	09:31:33
23	A.	He wanted to know, said that my pickup	09:31:33
24		was sitting there locked up and wanted to know	09:31:36
25		if I had a key, if there was a key around there	09:31:38

1	so they could move it 'cause the camper was on	09:31:41
2	fire.	09:31:46
3	Q. All right. You kept these documents in a	09:31:46
4	camper?	09:31:49
5	A. That's where I was living, in a camper.	09:31:49
6	Q. You say a camper, like a RV?	09:31:52
7	A. Yes.	09:31:55
8	Q. All right.	09:31:55
9	A. A 41 foot RV.	09:31:57
10	Q. Where was this parked?	09:31:57
11	A. 1235 Arnett Grove Road.	09:31:59
12	Q. How long have you lived there?	09:32:02
13	A. Since January.	09:32:05
14	Q. January of 2016?	09:32:06
15	A. Correct.	09:32:11
16	Q. Where'd you live before that?	09:32:11
17	A. 6550 Burkesville Road.	09:32:14
18	Q. 6550 Burkesville Road?	09:32:17
19	A. Right.	09:32:20
20	Q. Is that a house or what is it?	09:32:20
21	A. Burkesville Road?	09:32:24
22	Q. Yeah.	09:32:26
23	A. It was a house.	09:32:26
24	Q. Okay. Why did you move from the 6550	09:32:29
25	Burkesville Road?	09:32:34

1 A. I couldn't afford the payments on it and 09:32:34
2 sold it. 09:32:36

3 Q. Did you have a more -- mortgage on it? 09:32:36

4 A. Yes. 09:32:39

5 Q. All right. And did you buy a camper 09:32:39
6 after that or did you already have a camper? 09:32:42

7 A. I already had the camper. 09:32:44

8 Q. Did you keep the records for LSH Trucking 09:32:45
9 at 6550 Burkesville Road? 09:32:49

10 A. 'Til I moved, yes, sir. 09:32:52

11 Q. And you -- did you bring all of the 09:32:53
12 corporate documents from LSH Transport that 09:33:05
13 were at 6550 Burkesville Road to the camper at 09:33:09
14 1235 Arnett Grove Road? 09:33:16

15 A. Yes, I did. 09:33:17

16 Q. All right. Where did you keep them in 09:33:18
17 the camper? 09:33:21

18 A. In the garage part of it. 09:33:21

19 Q. All right. Are we talking about one of 09:33:22
20 these RVs that you see driving -- you can see 09:33:27
21 driving down the road that's got a garage part 09:33:30
22 to it or what are we talking about? 09:33:33

23 A. Talking about a -- it's a toy hauler, 09:33:35
24 called a toy hauler. 09:33:36

25 Q. What is -- what is that? 09:33:37

1 A. It's got living quarters in the front and 09:33:38
2 you got storage, like a garage in the back to 09:33:40
3 put toys, four wheelers or motorcycles or 09:33:42
4 whatever in the back. 09:33:47

5 Q. Okay. 09:33:48

6 A. It's called a garage. It's like a -- 09:33:49

7 Q. So you kept -- 09:33:53

8 A. -- 10-foot, 15-foot garage. 09:33:54

9 Q. You kept the documents in the garage of 09:33:56
10 this toy hauler -- toy hauler, is that what you 09:33:58
11 called it? 09:34:02

12 A. Yes. 09:34:02

13 Q. What -- what did you keep them in? Did 09:34:02
14 you keep them in a -- a box or a -- 09:34:04

15 A. Everything was in totes. 09:34:07

16 Q. What's a tote? 09:34:08

17 A. Plastic totes. 09:34:09

18 Q. Those little... 09:34:12

19 A. No, they were big. Big. 09:34:14

20 Q. Okay. Like a basket? What's -- 09:34:16

21 A. Well, except they were bigger. 09:34:21

22 Q. Okay. Well, how big? 09:34:23

23 A. Storage totes. 09:34:25

24 Q. Storage totes? 09:34:27

25 A. Yes. 09:34:28

1 Q. Were they made of plastic? 09:34:29
2 A. Yes. 09:34:30
3 Q. And you had a few of those. How many did 09:34:31
4 you have? 09:34:32
5 A. It's probably 10 or 15 in there. 09:34:33
6 Q. And they all had papers in them? 09:34:34
7 A. Some of them had pictures in them. High 09:34:36
8 school annuals. 09:34:40
9 Q. Okay. What about the -- the business 09:34:40
10 records? 09:34:43
11 A. Some of them had clothes in it. 09:34:43
12 Q. What about the business records for LSH, 09:34:48
13 were -- those were in the totes? 09:34:52
14 A. They were in there. 09:34:52
15 Q. Okay. 09:34:52
16 A. Income tax papers, everything. 09:34:53
17 Q. Had LSH Transport ever been -- have a DOT 09:34:55
18 audit done on it? 09:34:58
19 A. Yes. 09:34:59
20 Q. Okay. When did that happen? 09:35:00
21 A. It did -- there was one done probably in 09:35:02
22 November of 2011. And then it was one done in 09:35:06
23 June, was it June of 2014. 09:35:12
24 Q. Okay. June of 2014. 09:35:16
25 Was it before or after the accident we're 09:35:19

1 Q. There's a -- take a look at Exhibit 9. 14:48:14
2 A. (Witness complies.) 14:48:19
3 Q. The drug test results. 14:48:20
4 A. Yes. 14:48:24
5 Q. Looks like the fax is dated 6/11/14, and 14:48:25
6 it's got the number on there, 270-678-2347. 14:48:29
7 Do you know whose fax number that is? 14:48:33
8 A. That was mine. 14:48:35
9 Q. So it looks like it was fax'd to you on 14:48:36
10 June 11th. 14:48:38
11 Do you recall receiving it faxed to you 14:48:39
12 at any time before that? 14:48:41
13 A. (Witness reviews document.) 14:48:42
14 I don't know. No. 14:48:47
15 Q. Do you have any other records that would 14:48:50
16 show that you received the results before 14:48:53
17 June 11th, 2014? 14:48:56
18 A. No, I don't. 14:48:58
19 Q. And you've turned over -- before the fire 14:48:59
20 you turned over all the records related to Tony 14:49:01
21 Mills to your lawyer, correct? 14:49:04
22 A. That is correct. 14:49:05
23 Q. So if there was something showing you'd 14:49:06
24 received it before June 11th, it should be -- 14:49:09
25 should have been produced by now? 14:49:12